



BELA 4280.1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Cule et al.

Serial No. 09/870,373

Filed May 30, 2001

Confirmation No. 7437

For METHOD OF GRAPHICALLY INDICATING PATIENT INFORMATION

October 2, 2001

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION - FILING DATE GRANTED**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted,"
* dated August 2, 2001, enclosed is applicants' signed Declaration and Power of Attorney in the
* above-referenced application. A copy of the Notice is returned herewith.
*

Also enclosed is a check in payment of the surcharge.

Assignments by the inventor(s) to BELA, Inc. are being mailed today.

The Commissioner is hereby authorized to charge any fees that may be required during
the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

James J. Barta, Jr., Reg. No. 47,409
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

JJB/cjl

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Box Missing Parts

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10-03-01

DAC

FEE TRANSMITTAL

Application Number 09/870,373
 Filing Date May 30, 2001
 Confirmation No. 7437
 Inventor(s) Cule, et al.
 Group Art Unit 2673
 Examiner Name Unknown
 Attorney Docket Number BELA4280.1

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☒ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. ☒ BASIC FILING FEE Subtotal (1) \$ 370.00
 (Type: _____)
2. ☒ EXTRA CLAIM FEES Subtotal (2) \$ 123.00
 Total Claims 29
 Independent Claims 4
 Multiple Dependent Claims _____
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 275.00
☒ Surcharge - late filing fee or oath
☐ Surcharge - late provisional filing fee or cover sheet
☐ Extension for reply within _____ month
☐ Notice of Appeal
☐ Filing a Brief in Support of an appeal
☐ Request for ex parte Reexamination
☐ Petitions to the Commissioner
☐ Submission of Information Disclosure Statement
☒ (2) Recording each patent assignment per property
☐ Request for Continued Examination
☒ Other: Petition Under Rule 47(a)

TOTAL AMOUNT OF PAYMENT \$ 768.00

James J. Barta, Jr., Reg. No. 47,409

October 2, 2001

Date

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/870,373	05/30/2001	LaVonne Cule	BELA 4280.1

000321
SENNIGER POWERS LEAVITT AND ROEDEL
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102



CONFIRMATION NO. 7437

FORMALITIES LETTER



OC000000006377744

Date Mailed: 08/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$121.
 - \$81 for 9 total claims over 20.
 - \$40 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 541.

10/05/2001 SLUANG1 00000037 09870373

04 FC:201	370.00 OP
05 FC:202	42.00 OP
06 FC:203	81.00 OP
07 FC:205	65.00 OP

A copy of this notice **MUST** be returned with the reply.

AM

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

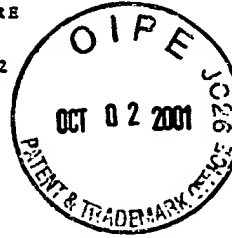
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ATTORNEYS AT LAW

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PATENTS, TRADEMARKS, COPYRIGHTS
AND RELATED MATTERS

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May 22, 2001

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1279 Roller Road
St. Clair, Missouri 63077

Beth Frankenberg
Lot 36, Riverview Trailer Court
Union, Missouri 63084

Grady Smith
1279 Roller Road
St. Clair, Missouri 63077

Re: U.S. Patent Application entitled METHOD OF GRAPHICALLY INDICATING
PATIENT INFORMATION; Our File BELA 4280.1

Dear Ms. Cule, Ms. Frankenberg, and Mr. Smith:

Enclosed is a draft of the patent application we prepared for the METHOD OF GRAPHICALLY INDICATING PATIENT INFORMATION. Please review the specification, claims, abstract, and drawing(s) carefully to make sure that they are accurate and complete, because once the application is filed, we cannot add new matter. It is also important that inventorship be correctly identified. Each inventor must be listed in the patent application. It is our understanding that LaVonne Cule, Beth Frankenberg, and Grady Smith are co-inventors. Please call if any changes or corrections are necessary, or if our understanding of inventorship is incorrect. In addition, after you approve the application, please send us the signed DECLARATION and ASSIGNMENT (discussed below) by Tuesday, May 29, 2001.

The patent application will be published about 18 months after it is filed, unless the filing is accompanied by (1) a request that the application not be published and (2) a promise not to file any foreign applications based on the application. (This request and promise can later be withdrawn under certain conditions). The published application will become prior art against later inventions, and may in certain instances give you the right to obtain a reasonable royalty for infringement occurring between publication and issuance of the patent. However, publication will cause you to lose the right to hold any subject matter of this application as a trade secret, should you later decide to abandon the application. Moreover, the public will have access to the patent file following publication. Please contact us if you have a question regarding the effect of publication or non-publication.

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REMINDER
7/10/01

FI 73934263115

SENNIGER, POWERS, LEAVITT & ROEDEL

LaVonne Cule, Beth Frankenberg, and Grady Smith

May 22, 2001

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Under certain circumstances it may be desirable to request early publication of the application (i.e., prior to 18 months). For instance, early publication somewhat increases the prior art effect of the application against competitors and potentially allows infringement damages to accrue from an earlier time. However, early publication will give competitors earlier access to the patent application file.

Unless we receive your instructions to request non-publication before the application is filed, the application will be published.

Also, in reviewing the application, you should consider two important requirements:

First, the specification of the application must describe the invention, and the way of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the field of the invention to make and use the invention without an unreasonable amount of experimentation. The specification need not set forth matters which are commonly known or understood by persons of ordinary skill in the field.

Second, the application must disclose the best mode or manner contemplated by the inventors for carrying out the claimed invention at the time we file the application. Thus, if either of you are aware of more than one way of making or performing the claimed invention or any aspect of the claimed invention, you must disclose what you consider to be the best mode or method.

If you believe we need to include more information in the application to satisfy these two requirements, or if you are unsure whether additional information should be included, please bring this to my attention. Failure to comply with the enablement or best mode requirements could result in some or all of the patent claims being later found invalid.

If no changes are required in the application and drawings, please review the enclosed DECLARATION AND POWER OF ATTORNEY. Please note the acknowledgment stated in the DECLARATION and refer to the attached Explanation of Acknowledgment for its effect and meaning. If the information in the DECLARATION is accurate, please sign and date it where indicated.

We have also enclosed an ASSIGNMENT, assigning the invention to BELA, Inc. It is necessary that you review the ASSIGNMENT for accuracy and, if it is satisfactory, sign and date it where indicated. Your signatures should be notarized.

If no changes to the application or any of the other enclosed documents are required, please return the signed Declaration, and the Assignment to us along with a check in the amount of \$476 made payable to the "Commissioner of Patents and Trademarks" to cover the application filing fee, and a check in the amount of \$40 made payable to the "Commissioner of Patents and Trademarks" to cover the assignment recording fee.

SENNIGER, POWERS, LEAVITT & ROEDEL

LaVonne Cule, Beth Frankenberg, and Grady Smith

May 22, 2001

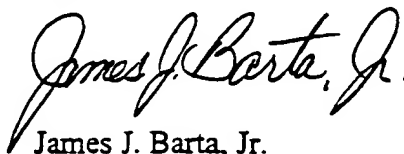
Page 3

Once the patent application is filed, each person substantially involved in preparation or prosecution of a patent application, including each inventor, has a duty of candor and good faith in dealing with the Patent and Trademark Office. To comply with this duty, all information known to you which is material to patentability should be disclosed to the Patent and Trademark Office within three months of filing of the application or within three months of when you become aware of the information, whichever is later. Accordingly, please promptly advise of any information material to patentability of which you are presently aware or may hereafter become aware. Failure to comply with this duty can result in invalidity or unenforceability of any patent maturing from this application.

Also, confirming your instructions, we will file an international application based on the U.S. application under the Patent Cooperation Treaty designating all countries.

If you have any questions about the application or the application papers, please call me. I look forward to receiving your approval and the signed DECLARATION and ASSIGNMENT by Tuesday, May 29, 2001.

Sincerely,



James J. Barta, Jr.

JJB/cjl
*Enclosures

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